

MEMORANDUM ENDORSEMENT



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd floor
New York, NY 10007

August 16, 2021

BY ECF

Hon. Gabriel W. Gorenstein
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: *Starr v. Acting Comm'r of Soc. Sec.*, No. 20-cv-4484 (GWG)

Dear Judge Gorenstein:

This Office represents the Acting Commissioner of Social Security (the “Commissioner”), the defendant in this action brought pursuant to 42 U.S.C. § 405(g), in which the plaintiff appeals the Commissioner’s decision to deny his application for Social Security disability benefits.

I respectfully write to request, with Plaintiff’s consent, a three-day extension of the time to file the Commissioner’s cross-motion for judgment on the pleadings, from August 13, 2021, until today, August 16, 2021, and a corresponding extension of time for Plaintiff to file a reply, if any, from September 3, 2021, until September 6, 2021. I apologize for the lateness of this request, and I have now filed the Commissioner’s cross-motion to avoid any further delay (Dkt. Nos. 28-29), and I respectfully request that the Court accept filing of the Commissioner’s cross-motion.

This is the Commissioner’s third request for an extension of time to file his cross-motion for judgment on the pleadings. The Court previously granted the Commissioner two extensions of time to file her cross-motion for judgment on the pleadings. (Dkt. Nos. 25, 27.) I thank the Court for its consideration of this request.

Respectfully,

AUDREY STRAUSS
United States Attorney

/s/ Amanda F. Parsels

BY: AMANDA F. PARSELS
Assistant United States Attorney
Tel.: (212) 637-2780
Email: amanda.parsels@usdoj.gov

cc: Josephine Gottesman (by ECF)
Attorney for Plaintiff

The proposed schedule is approved. In a previous request (Docket # 26), the Government sought and obtained an extension on the ground that it was engaged in an “internal discussion that could potentially avoid unnecessary motion practice and promote judicial efficiency.” This letter does not clarify whether the cross- motion was filed protectively or if that discussion has in fact concluded. The Government shall clarify this point by means of a letter filed on ECF on or before August 23, 2021.

SO ORDERED.



GABRIEL W. GORENSTEIN
United States Magistrate Judge

August 16, 2021